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C O N F I D E N T I A L SECTION 01 OF 03 MANILA 002038

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [MOPS](#) [EAID](#) [RP](#)
SUBJECT: GRP PLANS FORMAL REVIEW OF VFA TO DEFUSE SENATE
PRESSURE

REF: A. MANILA 2000 (CALL FOR VFA RENEGOTIATION)
[1](#)B. MANILA 1909 (RESPONSE TO FERRY SINKING)
[1](#)C. MANILA 1843 (VFA HEARING)

Classified By: Ambassador Kristie A. Kenney, reason: 1.4 (b and d).

SUMMARY

[1](#)1. (C) The Philippine Senate is applying increasing pressure on the Arroyo administration to renegotiate or abrogate the U.S.-Philippine Visiting Forces Agreement (VFA). A preliminary September 23 Philippine Senate voice vote on a non-binding resolution calling for VFA renegotiation heralds final passage on September 28. Meanwhile, a Philippine Senator previously supportive of the VFA, responding to an incident in which U.S. soldiers fired weapons in Jolo, has introduced a second resolution calling for geographic limits on U.S. deployments. The Ambassador and other key mission members are continuing aggressive outreach both to key supporters and to critics of the VFA. The Department of Foreign Affairs told us it planned a comprehensive review of the VFA, which could help to reduce the intensity of the debate and allow further consideration to take place in a less charged, post-election environment. End Summary.

BACKGROUND

[1](#)2. (SBU) THE SANTIAGO RESOLUTION: On September 14, seven Philippine Senators, led by vociferous Senator Miriam Defensor Santiago, introduced a resolution calling on the Arroyo administration to renegotiate the U.S.-Philippine Visiting Forces Agreement (VFA) -- or, if it cannot be renegotiated, to abrogate it (ref A). The resolution constitutes an expression of sentiment and does not impose any binding obligation on the Philippine government. The government has publicly supported the VFA since a controversial article appeared in the New York Times in August (ref C), but some in the administration have also publicly expressed an openness to the idea of renegotiation.

[1](#)3. (SBU) THE BIAZON RESOLUTION: On September 22, Senator Rodolfo Biazon, a former Armed Forces of the Philippines (AFP) chief of staff and generally a supporter of U.S.-Philippine security ties, introduced a resolution calling for U.S. forces participating in joint military exercises to be "removed from conflict- or combat-prone areas" and for the exercises to be conducted in "safe areas." In a press release, Biazon listed several locations where he would like to see U.S. forces operate, including several bases outside of Mindanao and one facility in the south, Camp Malagatay in Zamboanga, but he pointedly ruled out having U.S. troops on the islands of Jolo or Basilan, or in Central Mindanao, where the Joint Special Operations Task Force -

Philippines (JSOTF-P) maintains a variety of task forces and liaison elements.

¶4. (C) JOLO INCIDENT: On the night of September 14, an explosive device detonated near a joint Philippine-U.S. military convoy conducting a resupply mission at the main pier on the island of Jolo. A senior DFA official who investigated the incident told us the device was a concussion grenade wrapped with nails. Philippine troops, and then accompanying Americans, fired in the direction of the thrown grenade. Five bullets hit the outer wall of a mosque, and seven hit a facility of the Philippine Ports Authority. The Mayor of Jolo, Hussin Amin, called for an investigation of the incident in order to reduce the "ire of the Muslim people." The senior DFA official told us the Mayor was especially upset that, when he appeared on the scene after the incident, a U.S. soldier nearby had purportedly cocked his weapon in the Mayor's presence.

SENATE VFA RESOLUTION ADVANCES

¶5. (C) Late in the day on September 23, a plenary session of the Senate approved by voice vote the Santiago resolution after it received the endorsement of the Senate Foreign Relations Committee. Senate rules require one more final plenary vote to formally pass the resolution, and this is scheduled for Monday, September 28. Given Senate treatment of the resolution so far, passage on September 28 appears to be a foregone conclusion. Santiago continues to garner significant media attention because of her attacks on the

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VFA, which she has broadened to cover bilateral relations generally. On September 23, local media quoted her complaint that the USG extended far too little military aid to the Philippines and "treats us like a shabby country cousin. In return for the VFA, what we receive is paltry, mostly in the form of Excess Defense Articles, in other words, U.S. military junk."

AMBASSADOR DISCUSSES NEW RESOLUTION

¶6. (C) The Ambassador met on September 23 with Senator Biazon, to discuss his proposed resolution on the VFA (above). The Ambassador explained the benefits the AFP received from U.S. troops' co-location with units outside of Zamboanga, including casualty evacuation and intelligence support. Biazon acknowledged these benefits but remained adamant that he wanted U.S. troops out of what he termed "combat zones." He specifically cited Jolo, Basilan, Tawi-Tawi, and central Mindanao. Biazon worried about the possibility of U.S. troops being injured, or accidentally causing injuries to civilians. He raised the Jolo event (above) as an example of the type of incident that he wished to prevent. He claimed that both Secretary of National Defense Teodoro and AFP Chief of Staff Ibrado had privately concurred with the substance of his resolution. The Ambassador emphasized that U.S. troops could not be as effective if they remained only in Zamboanga, but Biazon remained unmoved.

¶7. (C) In a conversation with the Ambassador September 24, Secretary of National Defense Gilberto Teodoro said he was disappointed with Senator Biazon's stance and was opposed to the proposal to pull U.S. forces in Central Mindanao and the Sulu Archipelago back to Zamboanga. Teodoro said he was very pleased with the success and scope of our ongoing collaboration on counterterrorism issues in Mindanao, and thought it should continue. He also voiced approval of the civil military operations (CMO) carried out by the AFP and JSOTF, which had a significant beneficial impact on the local population.

DFA PLAN: BURY IT IN BUREAUCRACY

18. (C) DFA Assistant Secretary for American Affairs Lori Yparraguirre told us on September 24 that, following the expected passage of the Santiago resolution, the DFA would announce that same day a comprehensive review of the VFA. Yparraguirre said the review would likely take several months and could continue past the May 2010 election. The DFA believes that an exhaustive review is appropriate, as a required annual VFA review has never been carried out in the agreement's 10-year history. DFA also hopes the review will defuse some of the current tension and allow any further debate to take place in a less politically charged environment. Secretary Teodoro told the Ambassador that while he did not personally feel the need for a review, it was mandated under Philippine regulations and could lower the public profile of the issue. In a separate public relations effort, the GRP on September 23 touted the benefits of the VFA in two nearly full-page advertisements in a daily newspaper. One ad highlighted the benefits Filipino soldiers received from bomb disposal training; the second depicted American personnel rescuing a Filipina victim of the recent Superferry disaster (ref B).

COMMENT

19. (C) Senator Santiago's proposal for a hasty, unilateral abrogation of the VFA -- likely aimed at winning left-wing support for her likely reelection effort next May -- would have a significant harmful impact on a wide range of U.S. activities, including counterterrorism, military training, and our ability to deliver assistance vital to the peace process in Mindanao. We believe the Department of Foreign Affairs' announced VFA review will prove helpful in moving the VFA issue off the front pages, though we will observe the process closely to ensure that it does not lead to an unwanted effort to renegotiate the agreement. Even with the support of the Executive branch, however, the VFA will remain a lightning rod for criticism throughout the coming election period, and beyond. We remain concerned that Senate action could push a public and GRP response that would be detrimental to U.S. interests. We will continue to work this

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issue intensely both publicly and privately.
KENNEY